

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter Of)

**BEIS MENACHEM CHABAD)
LUBAVITCH INC.)**

Application for Global Authority)
Pursuant to Section 214 of the)
Communications Act of 1934, as amended,)
to Operate as an International Facilities-based)
and Resale Carrier Between the United States)
and Various International Points)
_____)

File No. ITC-214-2003-_____

APPLICATION

Beis Menachem Chabad Lubavitch Inc. (“BMCL” or “Applicant”), by its undersigned counsel, hereby requests global facilities-based authority and global resale authority, under Section 214 of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, and Section 63.18 of the Commission’s Rules, 47 C.F.R. § 63.18, to provide international telecommunications services between the United States and international points.

I. THE APPLICANT

BMCL is a privately held corporation organized under the laws of the State of New York. Applicant is not a foreign telecommunications carrier nor does it have any affiliation with a foreign carrier in any country where it intends to provide services. Therefore, Applicant qualifies for a presumption of non-dominance under Section 63.10(a)(1) of the Commission’s Rules, 47 C.F.R. § 63.10(a)(1), and its application is eligible for streamlined processing pursuant to Section 63.12 of the Commission’s Rules, 47 C.F.R. § 63.12.

II. PUBLIC INTEREST CONSIDERATIONS

BMCL believes that the added competition its entry will bring to the market will benefit the consumers of United States-overseas services. These benefits include competitive pricing and increased availability of a variety of innovative service options. Therefore, grant of this Application will further the public interest.

III. INFORMATION REQUIRED BY SECTION 63.18

BMCL submits the following information, as required by Section 63.18 of the Commission's Rules, in support of this Application:

- (a) Name, address and telephone number of Applicant:

Beis Menachem Chabad Lubavitch Inc.
389 Bradley Avenue
Staten Island, NY 10314
Tel: (718) 370-8953
Fax: (718) 761-2364
- (b) Applicant is incorporated under the laws of the State of New York.
- (c) Correspondence concerning this application should be sent to:

Catherine Wang
Douglas D. Orvis II
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
Tel: (202) 424-7500
Fax: (202) 424-7645
- (d) BMCL does not currently hold any Section 214 authorizations.
- (e) BMCL requests global Section 214 authority to operate as a facilities-based and resale international carrier pursuant to Sections 63.18(e)(1) and 63.18(e)(2),

respectively, of the Commission's Rules. BMCL requests such authorization for all international routes authorized by the Commission. BMCL certifies that it will comply with the terms and conditions of Sections 63.21 and 63.22 of the Commission's Rules.

- (f) BMCL seeks Section 214 authorization to provide only the services referenced under paragraph (e) of Section 63.18 of the Commission's Rules.
- (g) Not applicable. BMCL is not requesting authorization for facilities pursuant to Section 63.18(e)(4) of the Commission's Rules.
- (h) Information regarding the 10% or greater direct or indirect shareholders of Applicant is as follows.

The following persons or entities hold a ten percent (10%) or greater, direct or indirect, ownership interest in Applicant:

<u>Name/Address</u>	<u>% Held</u>	<u>Citizenship</u>	<u>Principal Business</u>
Moshe Katzman 151 Sunset Avenue Staten Island, NY 10314	100%	U.S.	International Religious Organization

Applicant has no interlocking officers or directors with foreign carriers to report.

- (i) BMCL certifies that it is not a foreign carrier. Further, BMCL certifies that it is not affiliated with any foreign carriers, which are currently licensed or are in the process of obtaining licenses to provide international telecommunications services.
- (j) BMCL certifies that it is not seeking to provide international telecommunications services to any destination country to which Sections 63.18 (j)(1)-(4) of the Commission's Rules apply.
- (k) Not applicable. BMCL is not seeking to provide international telecommunications services pursuant to Section 63.18(j)(1)-(4) of the Commission's Rules.
- (l) Not applicable. Applicant is not a foreign carrier nor is it affiliated with a foreign carrier.
- (m) BMCL qualifies for non-dominant treatment for the provision of all U.S. international telecommunications services pursuant to Section 63.10 of the Commission's Rules because BMCL is not a foreign carrier and is not affiliated with any foreign carriers.

- (n) BMCL certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier where the foreign carrier possesses market power on the foreign end of the route and BMCL will not enter into such agreements in the future.
- (o) BMCL certifies, pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules (implementing the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862), that no party to its application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.
- (p) This Application qualifies for streamlined processing pursuant to Section 63.12 of the Commission's Rules, 47 C.F.R. § 63.12, because Sections 63.12(c)(1)-(4) do not apply to Applicant. BMCL therefore qualifies for the presumption of non-dominance under Section 63.10(a)(1) of the Commission's Rules.

IV. CONCLUSION

For the reasons stated above, Beis Menachem Chabad Lubavitch Inc. respectfully submits that the public interest, convenience, and necessity would be furthered by a grant of this Application.

Respectfully submitted,

By:

Catherine Wang
Douglas D. Orvis II
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, DC 20007
Tel: (202) 424-7500
Fax: (202) 424-7645

Its Counsel

Dated: February__, 2003

CERTIFICATION OF APPLICANT

On behalf of Beis Menachem Chabad Lubavitch Inc., I hereby certify that the statements in the foregoing Application for Section 214 authority are true, complete, and correct to the best of my knowledge and are made in good faith.

Beis Menachem Chabad Lubavitch Inc.

By: _____

Name: Moshe Katzman
Title: President
Date: January ____, 2003